

# Court of Appeals, State of Michigan

## ORDER

Everett Casey v Auto Owners Insurance Company

Docket No. 266576

LC No. 2002-045189-CZ

E. Thomas Fitzgerald  
Presiding Judge

Jessica R. Cooper

Pat M. Donofrio  
Judges

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The Court orders that the motion to dismiss pursuant to MCR 7.211(C)(2) is DENIED. The lower court register of actions indicates that the motion now pending in the lower court was filed on September 20, 2005. As such, that motion is not a postjudgment motion that would toll the time for filing an appeal of right because it was not filed within the initial 21-day appeal period from the August 29, 2005, final order. MCR 7.204(A)(1)(b).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN 03 2006

Date

*Sandra Schultz Mengel*  
Chief Clerk